

Amendment Under 37 C.F.R. §1.111
Application No. 10/660,758
Attorney Docket No. 031102

REMARKS

Claims 1-35 are currently pending. Support for new claim 35 may be found in the specification as originally filed, for example, in the paragraph bridging pages 16-17 and Examples 1 to 4 and Tables 2 to 4.

I. The Objection to the Specification/Abstract

The Examiner objects to the Abstract.

The Examiner notes that the Abstract is two paragraphs and requests that the period in the second paragraph be moved. The Examiner also requests that the text "[Selected drawings] Figure 2" be deleted.

The abstract has been amended and rewritten to one paragraph in length and the requested text deleted. It is respectfully submitted that Applicant's abstract fully complies with 37 C.F.R. §1.72(b) and MPEP §608.01(b) and it is requested that the objection to the Abstract be reconsidered and withdrawn.

II. The Rejection under 35 USC § 112

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. In particular, the Examiner states that there is a period located in the middle of the claim.

Claim 1 has been amended for clarity and to place the period at the end of the claim. It is respectfully submitted that Applicants' claims are clear and definite and it is requested that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

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III. The Rejection under 35 USC §103

Claims 1-18 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shibue et al in view of Yashiro et al.

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Shibue et al in view of Yashiro et al and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

Shibue and Yashiro disclose drying process for drying coating liquid. However, Shibue and Yashiro do not disclose or suggest a constituent recitation of the value L, which is calculated as claimed, and which satisfies the relationship:

$$L > 1.9 \times 10^{-13} [\text{m}^4 / \text{sec}]$$

In the present invention, the claimed formula of $L > 1.9 \times 10^{-13} [\text{m}^4 / \text{sec}]$ was adopted based on the finding that the condition of a coated film in a process for forming a coated film, especially wet condition of a coated film having much solvent in the initial drying process, that is, the variation of physical property of the liquid in the initial process has a very serious effect on the final thickness of the coated layer.

This is also clear from Applicants' specification, page 3, line 7-page 4, line 3:

Drying of a coated liquid that was coated on a substrate advances immediately after coated, and a thickness h of the coated liquid decreases with progress of evaporation of a solvent. Besides, it turned out that a surface tension and a viscosity of the coated liquid also vary with progress of the moving of the

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solvent, which affect uniformity of the thickness of the coated layer. Accordingly, in consideration of these variations, it was found out in the present invention that a value L obtained by the above-mentioned equation was introduced as an integrated value over a total period in drying process, and that drying irregularity within a surface might be prevented and a uniform coated layer was formed by controlling a drying process so that the value L might satisfy a relationship of $L > 1.9 \times 10^{-13} [\text{m}^4/\text{sec}]$.

The above-mentioned value L is affected by the item of thickness of coated liquid on the third power. In brief, it means that the condition of a coated layer, in the preparing process, especially wet condition of a coated layer having much solvent in the initial drying process, that is to say, the variation of the liquid in the initial preparing process has a very serious effect on the final thickness of the coated liquid layer. In the present invention, from the above-mentioned information a method for manufacturing is found out, in which a uniform optical functional layer, having a small irregularity of thickness of a coated layer, can be formed.

Without a teaching or disclosure of the above, Applicants' respectfully submit that it is not obvious to the person skilled in the art to make and use the claimed constituent recitation of $L > 1.9 \times 10^{-13} [\text{m}^4/\text{sec}]$ as in the present invention.

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The claimed method of manufacturing a coated sheet and constituent recitation of $L > 1.9 \times 10^{-13} [\text{m}^4/\text{sec}]$ is not disclosed or suggested in either of Shibue and Yashiro. Therefore, even if the cited references are combined, it is respectfully submitted that the claimed invention of method of manufacturing a coated sheet would not have been selected and would not have been obvious to one of ordinary skill in the art.

IV. The “Provisional” Double Patenting Rejections

Claims 1-18 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1-8 of copending Application No. 10/641,117.

Claims 1-18 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of copending Application No. 10/610,741.

Since these are provisional rejections, Applicants postpone response until one of the instant application or the copending Applications are in condition for allowance.

V. Conclusion

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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